

Notice of Allowability	Application No.	Applicant(s)	
	09/544,704	TSURIA, YOSSEF	
	Examiner Kaveh Abrishamkar	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to After final amendment received July 16, 2004 and Telephonic Interview on October 4, 2004.
2. The allowed claim(s) is/are 1-16.
3. The drawings filed on 07 April 2000 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

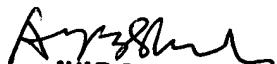
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date 10/4/2004.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____


AYAZ SHEIKH

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sanford Colb (Registration No. 26856) and David Zviel (Registration No. 41,392) on October 4, 2004.

The application has been amended as follows:

Claim 1 (Currently Amended): A method for examining an electronic representation of an item for a watermark, the method comprising:

examining at least a first electronic representation of an item for a watermark in accordance with a first watermark definition;

receiving a signal indicating that a second watermark definition is to be used for examining electronic representations; and

examining at least a second electronic representation of an item for a watermark in accordance with the second watermark definition, and not examining the item for a watermark in accordance with the first watermark definition.

Claim 2 (Original): A method according to claim 1 and also comprising:

controlling access to at least the second electronic representation based, at least in part, on a result of the examining at least a second electronic representation step.

Claim 3 (Original): A method according to claim 1 wherein the first electronic representation and the second electronic representation are identical.

Claim 4 (Original): A method according to claim 1 and wherein the signal comprises a representation of the second watermark definition.

Claim 5 (Original): A method according to claim 1 and also comprising:

retrieving the second watermark definition from a storage device in response to the receiving signal.

Claim 6 (Original): A method according to claim 1 and also comprising computing the second watermark definition in response to the received signal.

Claim 7 (Original): A method according to claim 1 and wherein the first watermark definition and the second watermark definition each comprises an indication of a location, within each electronic representation to be examined, at which a watermark, if present, is to be found.

Claim 8 (Original): A method according to claim 1 and wherein the first watermark definition and the second watermark definition each comprises an indication of a watermarking method according to which each electronic representation to be examined is to be examined for a watermark.

Claim 9 (Original): A method according to claim 1 and wherein the signal comprises authentication information for establishing that the signal originates from an authentic source, and

the receiving step also includes:

verifying the authentication information to determine whether the authentication information is correct and rejecting the receiving signal if the authentication information is determined to be incorrect, thereby causing the first watermark definition to continue to be used for examining if the authentication information is incorrect.

Claim 10 (Currently Amended): A watermark examiner for examining an electronic representation of an item for a watermark, the examiner comprising:

a watermark definition store operative to store a watermark definition; watermark examination apparatus operatively associated with the watermark definition store and operative to examine an electronic representation of an item for a watermark in accordance with the watermark definition stored in the watermark definition store; and

wherein, after the watermark definition signal receiver stores the new watermark definition in the watermark definition store, the watermark examination apparatus examines in accordance with the new watermark definition and not in accordance with a watermark definition previously stored in the watermark definition store.

Claim 11 (Original): A watermark examiner according to claim 10 and wherein the watermark definition comprises an indication of a location, within each electronic representation to be examined, at which a watermark, if present, is to be found.

Claim 12 (Original): A watermark examiner according to claim 10 and wherein the watermark definition comprises an indication of a watermarking method according to which each electronic representation to be examined is to be examined for a watermark.

Claim 13 (Original): A watermark examiner according to claim 10 and wherein the signal comprises a representation of the second watermark definition.

Claim 14 (Original): A watermark examiner according to claim 10 and wherein the watermark examiner also comprises a watermark storage memory for storing at least one watermark definition, and

the watermark definition signal receiver is operative to retrieve the new watermark definition from the watermark storage memory in response to the received signal.

Claim 15 (Original): A watermark examiner according to claim 10 and wherein the watermark definition signal receiver is also operative to compute the second watermark definition in response to the received signal.

Claim 16 (Original): A watermark examiner according to claim 10 and wherein the signal comprises authentication information for establishing that the signal originates from an authentic source, and

the watermark definition signal receiver also includes:
signal verification apparatus operative to verify the authentication information to determine whether the authentication information is correct and to reject the received signal if the authentication information is determined to be incorrect, thereby causing the first watermark definition to continue to be used for examining if the authentication information is incorrect.

Allowable Subject Matter

1. Claims 1 – 28 were originally received for consideration. A first amendment was then filed after the Non-Final rejection, which added new dependent claims 29 and 30. Claims 29 and 30 were then cancelled and newly added claims 31 – 46 were added in an After Final amendment. These new claims were not considered. Per the interview on October 4, 2004, claims 1 – 16 are allowed as amended above.

2. The following is an examiner's statement of reasons for allowance:

The above mentioned claims are allowable over prior arts because the CPA (Cited Prior Art) of record fails to teach or render obvious the claims limitations in combination with the specific added limitations, as recited in independent claims 1 and 10 shown above, and subsequent dependent claims.

The CPA does not teach or suggest a system and method of examining electronic representations of items for a new watermark by sending a signal to a watermark examining apparatus notifying the watermarking examining apparatus that a new watermark definition is to be used instead of a first watermark definition in cases where knowledge of the first watermark has become widespread.

The present invention addresses the following drawbacks of prior art security mechanisms:

- 1) the lack of continued protection after the watermark is illicitly removed.

Thus this invention provides a method for examining an electronic representation of an item for a watermark by examining a first electronic representation for a watermark in accordance with a first watermark definition, and after receiving a signal notifying the watermark examination apparatus to examine the electronic representation in accordance with a second watermark definition, examining the electronic representation in accordance with the first watermark definition and not examining the item for a watermark in accordance with the first watermark definition. This method allows for continued protection even after a first watermark is successfully and illicitly removed, by communicating a signal which instructs a watermark examining apparatus to examine an electronic representation of a item in accordance with a watermark with a second watermark definition.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 703-305-8892. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA
10/13/2004


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